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**Jeanne W. Stockman**  
Associate General Counsel

February 26, 2021

**VIA ELECTRONIC FILING**

Mr. Adam Teitzman, Director  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Application of CenturyLink Communications, LLC for Designation as an Eligible  
Telecommunications Carrier  
Docket No. \_\_\_\_\_

Dear Mr. Teitzman:

On behalf of CenturyLink Communications, LLC ("CenturyLink"), transmitted herewith for filing is CenturyLink's Application for Designation as an Eligible Telecommunications Carrier in the State of Florida ("Application").

Thank you for your consideration of this matter. If you have any questions concerning the Application, please contact me at 984-237-1330.

Sincerely,

/s/ Jeanne W. Stockman  
Jeanne W. Stockman

JWS/sc  
Enclosure(s)

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

Application of :  
:   
CenturyLink Communications, LLC : Docket No. \_\_\_\_\_  
:   
For Designation as an :   
Eligible Telecommunications Carrier (ETC) :

**APPLICATION OF  
CENTURYLINK COMMUNICATIONS, LLC  
FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER**

Pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (“Act”), as well as the rules of the Federal Communications Commission (“FCC”),<sup>1</sup> CenturyLink Communications, LLC (“CCL” or “Applicant”) hereby submits this Application for designation as an Eligible Telecommunications Carrier (“ETC”) in selected census blocks outside areas where its affiliate currently is an ETC and in which it will work with its affiliate to fulfill obligations pursuant to the federal Rural Digital Opportunity Fund (“RDOF”).<sup>2</sup> CCL respectfully requests that the Florida Public Service Commission (“Commission”) issue an order designating CCL as an ETC in the State of Florida no later than June 1, 2021,<sup>3</sup> pursuant to applicable provisions of the Act and the FCC’s rules,<sup>4</sup> or order any other relief on a timely basis as may be appropriate. In support of this Application, CCL states as follows:

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<sup>1</sup> 47 U.S.C. § 214(e)(2). 47 C.F.R §§ 54.201 and 54.202.

<sup>2</sup> Applicant’s incumbent local exchange company (“ILEC”) affiliate, namely Embarq Florida, Inc. d/b/a CenturyLink, is designated as an ETC in Florida. As addressed more fully below, this Application involves areas outside the service territory served by this ILEC affiliate of Applicant. Applicant files the instant request for ETC designation given that it is certificated by the Commission and that it, along with its affiliate which is already an ETC in Florida, will be fulfilling obligations stemming from the FCC’s RDOF Phase I Auction.

<sup>3</sup> This date is requested given the FCC’s date of June 7, 2021 for state commission action on ETC requests.

<sup>4</sup> 47 U.S.C. § 214(e)(2) and 47 C.F.R. §§ 54.201 and 54.202.

CCL's ultimate parent, Lumen Technologies, Inc. (hereinafter "CenturyLink/Lumen"),<sup>5</sup> was selected as a winning bidder in some of the census blocks available in the State of Florida under the FCC's Rural Digital Opportunity Fund Phase I Auction (Auction 904) (hereinafter "RDOF Auction").<sup>6</sup> On December 22, 2020, pursuant to the procedures developed by the FCC, CenturyLink/Lumen assigned the winning bids to its affiliate, Embarq Florida, Inc. d/b/a CenturyLink ("Embarq FL") for implementation of the RDOF bids. Embarq FL is an incumbent local exchange carrier (ILEC) and an ETC in Florida, and most of the RDOF census blocks won by CenturyLink/Lumen in Florida fall within its authorized service area. Embarq FL filed the necessary long-form application at the FCC on behalf of all affiliates in Florida that will be involved in fulfilling RDOF obligations. A map is attached at **Exhibit A** illustrating all areas in Florida relevant to the CenturyLink/Lumen RDOF winning bids.<sup>7</sup>

Some of the RDOF Census Blocks won by CenturyLink/Lumen and assigned to Embarq FL, however, fall outside of its authorized service area. These 16 particular incremental RDOF Census Blocks ("Incremental CBs") are listed in **Exhibit B**.<sup>8</sup> Because Applicant presently is not a designated ETC in Florida in these areas, CCL files to obtain ETC designation for these Incremental CBs.<sup>9</sup>

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<sup>5</sup> On September 14, 2020, CenturyLink, Inc., the ultimate parent of Applicant, announced the launch of its "Lumen" brand. Effective September 18, 2020, the stock of CenturyLink, Inc. began trading under the symbol "LUMN." On January 22, 2021, CenturyLink, Inc. formally changed its name to Lumen Technologies, Inc. As a result, CenturyLink, Inc. is now referred to as "Lumen Technologies," or simply "Lumen."

<sup>6</sup> *Rural Digital Opportunity Fund Phase I Auction (Auction 904) Closes, Winning Bidders Announced*, AU Docket No. 20-34, Public Notice, 35 FCC Rcd 13888 DA No. 20-1422 (OEA/WCB rel. Dec. 7, 2020) ("Auction 904 Results Notice"). See, <https://docs.fcc.gov/public/attachments/DA-20-1422A1.pdf>

<sup>7</sup> The RDOF Census Blocks within the service territory of Embarq FL as denoted on Exhibit A are only for context and illustration purposes and are not subject to this Application.

<sup>8</sup> Another local exchange carrier subject to federal price cap regulation is the designated incumbent local exchange carrier in the Incremental CBs, specifically, Southern Bell-FL (AT&T).

<sup>9</sup> To the extent some of these incremental census blocks may fall both inside and outside Embarq FL's service area, this Application addresses solely the portion outside of the Embarq FL service area. Similarly, if any of these incremental census blocks nominally include area inside the service area of an incumbent

Section 214(e)(2) of the Act authorizes the Commission to designate Applicant as an ETC if it meets the requirements of 47 U.S.C. § 214(e)(1). CCL is authorized to provide local exchange and interexchange services in Florida and is authorized to serve in the Incremental CBs. As addressed in more detail below and as certified in the attached verification, CCL meets the requirements for ETC designation for purposes of the FCC's RDOF Auction. CCL respectfully requests that the Commission designate it as an ETC in the Incremental CBs for the limited purpose of fulfilling obligations pursuant to the RDOF.

## **I. BACKGROUND**

CCL, the Applicant, is a Delaware limited liability company with principal offices located at 100 CenturyLink Drive, Monroe, Louisiana, 71203. CCL is an indirect, wholly owned subsidiary of CenturyLink/Lumen. Lumen provides high-quality voice and data services to enterprise, government, wholesale, and carrier customers over its IP-based network through its wholly owned indirect subsidiaries, including the Applicant.

In Florida, CCL has been certified to provide local exchange and interexchange services in Florida pursuant to authority granted by the Commission in Certificate No. 5801. In 2014, the Commission was notified of an internal corporate restructuring, with a change in corporate name to CenturyLink Communications, LLC occurring thereafter.

The FCC's RDOF program accelerates the deployment of high-speed fixed broadband service in America. Phase 1 of the RDOF program is being implemented through an auction of census blocks subject to federal price-cap regulation that are wholly unserved according to the FCC's Form 477 reporting. The FCC has authorized RDOF support to companies, like

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local exchange carrier subject to federal rate-of-return regulation, those areas were specifically excluded from the RDOF Auction and are not relevant here. *Rural Digital Opportunity Fund; Connect America Fund*, WC Docket Nos. 19-126, 10-90, Report and Order, FCC 20-5, 35 FCC Rcd 686 (2020) ¶ 12.

CenturyLink/Lumen, that commit to enable and maintain voice and broadband service meeting the FCC’s requirements throughout the RDOF Census Blocks for the duration of the program. The deployment schedule includes milestones of 40% of the awarded locations statewide by the end of the third full calendar year following funding authorization, and 20% each year thereafter, resulting in 100% deployment to funded locations by the end of the sixth calendar year.<sup>10</sup>

In Florida, CenturyLink/Lumen was the winner in the RDOF Auction for areas with funding totaling approximately \$5 million, spread over 10 years.<sup>11</sup> If approved, RDOF funding will begin to be disbursed for these areas in January 2022.

## **II. APPLICANT MEETS THE REQUIREMENTS FOR ETC CERTIFICATION**

Pursuant to Section 214(e)(2) of the Act, a “State commission shall on its own motion or upon request designate a common carrier that meets the requirements of paragraph (1) as an eligible telecommunications carrier for a service area designated by the State commission.”<sup>12</sup>

Section 214(e)(1) of the Act in pertinent part provides:

A common carrier designated as an eligible telecommunications carrier . . . shall be eligible to receive universal service support in accordance with section 254 and shall, throughout the service area for which the designation is received –

(A) offer the services that are supported by the Federal universal service support mechanism under section 254(c), either using its own facilities or a combination of its own facilities and resale of another carrier’s services (including the service offered by another eligible telecommunications carrier); and

(B) advertise the availability of such services and the charges therefore using media of general distribution.

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<sup>10</sup> *Rural Digital Opportunity Fund et al.*, WC Docket No. 19-126 et al., Report and Order, 35 FCC Rcd 686, 696, para. 45 (2020) (“*Rural Digital Opportunity Fund Order*”). Recipients will have an additional year to come into compliance with 100% enablement, and an additional two years to enable any additional locations that emerge over the first half of the decade.

<sup>11</sup> *See, Auction 904 Results Notice*, Attachment A: “Winning Bidders Summary” at page 6 of 30. The link for Attachment A is as follows: <https://docs.fcc.gov/public/attachments/DA-20-1422A2.pdf>.

<sup>12</sup> 47 U.S.C. § 214(e)(2).

CCL meets the requirements in Florida for ETC designation for purposes of the FCC's RDOF program, including 47 U.S.C. § 214(e) and 47 C.F.R. §§ 54.201 *et seq.*<sup>13</sup>

**A. CCL Will Provide Service as a Common Carrier**

CCL is a common carrier, as defined under the Act,<sup>14</sup> and plans to offer the services stipulated by RDOF in the Incremental CBs under section 254(c), either using its own facilities or a combination of CCL's own facilities and resale of another carrier's or affiliate's facilities and services. As certified by the attached verification, CCL also plans to advertise the availability of such services and the charges using media of general distribution.

**B. CCL Will Offer the Services Supported by the Federal Universal Service Support Mechanisms**

Pursuant to Section 54.101 of the FCC's rules, eligible voice telephony services include voice grade access to the PSTN or its functional equivalent.<sup>15</sup> For RDOF Phase I support recipients, the FCC also defines the supported service as qualifying voice service and conditions grant of funding on the offering of qualifying broadband service. For RDOF purposes, CCL, itself or through facilities and services of another carrier/affiliate, will provide voice service on a stand-alone basis in the Incremental CBs consistent with the FCC's high-cost universal service

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<sup>13</sup> CCL notes that the that the FCC, in the context of ETC applications following Connect America Fund Phase II, previously waived the requirements under (1) 47 C.F.R. § 54.202(a)(1)(ii) for ETC applicants to submit a five-year plan; and (2) 47 C.F.R. § 54.202(a)(3) for ETC applicants to demonstrate that they will satisfy applicable consumer protection and service quality standards. The FCC took this step in light of more specific measures to track deployment, including annual reporting of service to geocoded locations and certification of compliance with benchmark milestones, finding that the obligations in §§ 54.202(a)(1)(ii) and (a)(3) were not necessary to monitor ETC use of support for its intended purpose. *See WCB Reminds Connect America Fund Phase II Applicants of the Process for Obtaining Federal Designation as an Eligible Telecommunications Carrier*, WC Docket Nos. 09-197, 10-90, Public Notice, DA 18- 714, at 4-5 (<https://docs.fcc.gov/public/attachments/DA-18-714A1.pdf>). This rationale is equally true in the RDOF context. As a result, CCL has not provided the information from §§ 54.202(a)(1)(ii) and (a)(3) in this Application, and, to the extent necessary, requests a waiver of these requirements based on the FCC's prior waiver of them.

<sup>14</sup> A "common carrier" is defined as "any person engaged as a common carrier for hire, in interstate or foreign communications by wire or radio[.]" 47 U.S.C. § 153(10).

<sup>15</sup> 47 C.F.R. § 54.101(a).

support rules applicable to it.<sup>16</sup> CCL primarily will be provisioning voice telephony, where requested by a customer, using Voice-over-Internet Protocol ("VoIP") technology. In the locations listed in **Exhibit B**, CCL's telephony voice service will include access to emergency services (including 911 or E911 where available), minutes of use for local service provided at no additional charge to end users, and toll limitation services to qualifying low-income customers in accordance with 47 C.F.R. §§54.500, *et seq.* Further, CCL will offer voice services on a standalone basis at rates that are reasonably comparable to urban rates, consistent with federal benchmarks.

Pursuant to 47 C.F.R. § 54.101(a)(2), CCL will offer broadband internet access service with the capability to transmit data to, and receive data by wire or radio from, all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up service. CCL will offer broadband at rates that are reasonably comparable to rates offered in urban areas.

**C. CCL Will Provide Service Using Its Own Facilities.**

For RDOF purposes, Applicant, itself or through facilities and services of another carrier/affiliate, will provide voice service on a stand-alone basis in the Incremental CBs consistent with the FCC's high-cost universal service support rules applicable to it.

**D. CCL Will Provide Service Throughout Its Designated Service Area.**

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<sup>16</sup> CenturyLink/Lumen and its affiliates respectfully reserve all rights, claims and defenses relating to non-jurisdictional technologies that may be used to provision services under the RDOF Auction, nor should any reference of such technologies in this filing construed as a waiver of any rights, claims, and defenses that may be asserted.

CCL commits to provide the supported service throughout the Incremental CB area that is requested for ETC status. CCL's Incremental CBs where it is awarded RDOF support is set forth in **Exhibit B**.

**E. CCL Will Offer Lifeline Service.**

Applicant will offer Lifeline discounts to qualifying low-income consumers in the Incremental CBs consistent with the FCC's Lifeline rules.<sup>17</sup> Applicant, through its affiliates, has substantial experience in providing Lifeline voice services to low-income consumers. Applicant will rely upon teams at Embarq FL who have familiarity with these program.

**F. CCL Will Advertise the Availability of Its Services and Charges Using Media of General Distribution.**

CCL will advertise the availability of its universal service offerings and charges for such offerings using media of general distribution as required by 47 U.S.C. § 214(e)(1)(B) through a combination of digital and traditional media, such as postings on its website and local advertising in the markets it will serve and will publicize the availability of Lifeline services in a manner reasonably designed to reach those likely to qualify for the service. CCL, together with its affiliates, will also undertake outreach initiatives to increase consumer awareness of its Lifeline service offering, consistent with all applicable requirements.

**G. CCL Meets the Additional Requirements for Designation as an ETC in Florida.**

Compliance with Applicable Service Requirements. CCL certifies that it will comply with the service requirements applicable to the support that it receives, including the requirements for RDOF support recipients.

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<sup>17</sup> See, 47 C.F.R. §§ 54.101(c), 54.805-54.806.



Financial and Technical Capabilities for Providing Lifeline Services. CCL is financially and technically capable of providing Lifeline services to low-income customers as required by 47 C.F.R. § 54.202(a)(4).

Ability to Remain Functional in Emergency Situations. Pursuant to 47 C.F.R. § 54.202(a)(2), CCL will have sufficient back-up power to remain functional without an external power source in emergency situations, will be able to reroute traffic around damaged facilities, and will be able to manage traffic spikes resulting from emergency situations. At the user level, CCL will offer a 24-hour battery back-up option for user equipment that will provide power for that equipment in the event of a power outage. At the system level, CCL is building redundancy into the network.

CCL is Not Subject to a Denial of Federal Benefits Under the Anti-Drug Abuse Act of 1988. Pursuant to 47 C.F.R. § 1.2002, CCL is not subject to a denial of federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, as implemented in the Commission's rules.

### **III. COMMUNICATIONS AND CORRESPONDENCE**

Pleadings, orders, notices or other correspondence and communications regarding this Application should be provided to:

Jeanne W. Stockman  
Associate General Counsel  
Lumen  
150 Fayetteville Street Mall, Suite 970  
Raleigh, NC 27601  
Phone 984-237-1330  
Email: [Jeanne.W.Stockman@lumen.com](mailto:Jeanne.W.Stockman@lumen.com)

And:

Christie P. Mason  
State Regulatory Affairs Director  
Lumen  
132 North Calhoun Street  
Tallahassee, FL 32301  
Telephone: (850) 599-1073

E-mail: [Christie.A.Pontis@lumen.com](mailto:Christie.A.Pontis@lumen.com)

#### **IV. PUBLIC INTEREST CONSIDERATIONS**

Approval of CCL's request for ETC designation in the Incremental CBs will allow CCL, either directly or through its affiliates, to bring voice and broadband Internet access services to consumers in the Incremental CBs, thus advancing the goals of universal service under the FCC's RDOF program. Designating CCL as an ETC will permit it to use RDOF funding for its intended purpose in the Incremental CBs, directly advancing the goals of the RDOF program and universal service. For the reasons set forth herein, granting ETC status to CCL for the Incremental CBs, as identified in **Exhibit B**, is in the public interest.

#### **V. REQUESTED RELIEF AND TIMING**

CenturyLink/Lumen must demonstrate to the FCC that it or an affiliate has been designated as an ETC in each of the census blocks where CenturyLink/Lumen was the winning bidder in the RDOF Auction. The FCC's deadline for such documentation is June 7, 2021.<sup>23</sup> Accordingly, CCL respectfully requests that the Commission issue an order approving this Application by no later than June 1, 2021.

**VI. CONCLUSION**

WHEREFORE, for the reasons stated herein, Applicant, CCL, respectfully requests that the Commission designate CCL as an ETC in the Incremental CBs identified in **Exhibit B** by no later than June 1, 2021 and order such other relief as may be appropriate.

Respectfully submitted,

\_\_\_\_\_/s/Jeanne W. Stockman\_\_\_\_\_  
Jeanne W. Stockman  
Associate General Counsel  
Lumen  
150 Fayetteville Street Mall, Suite 970  
Raleigh, NC 27601  
Phone 984-237-1330  
[Jeanne.W.Stockman@lumen.com](mailto:Jeanne.W.Stockman@lumen.com)

DATED: February 26 2021

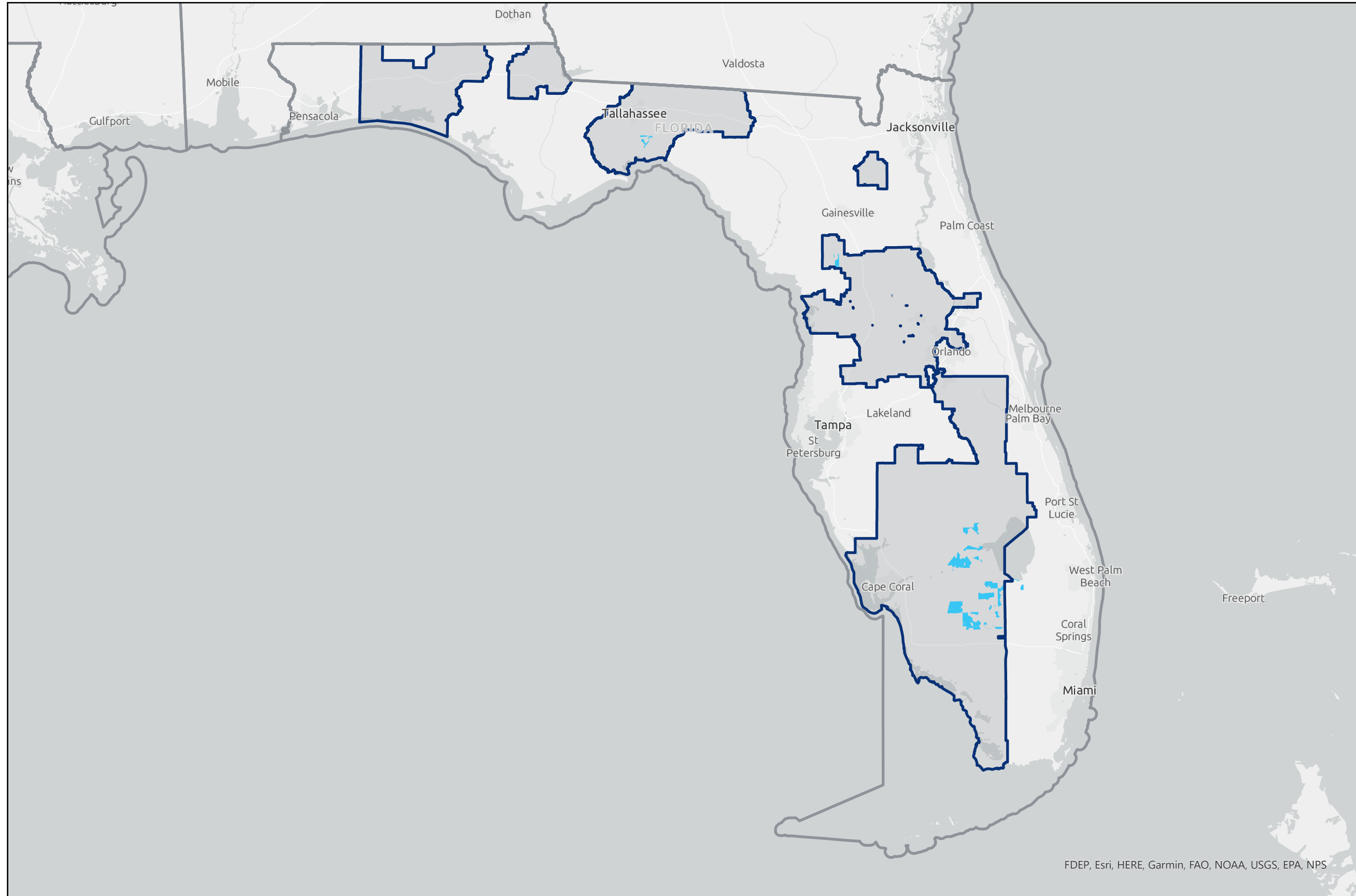
**List of Exhibits**

**Exhibit A:** Map of CenturyLink/Lumen RDOF Winning Bids in Florida

**Exhibit B:** List of Incremental Census Blocks in Florida Where CCL Seeks ETC Designation

Verification

# Florida Lumen Won RDOF Areas



Support (10y)	Locations
\$5,039,442.60	1,495

Lumen Serving Area  
**Winning Bidder**  
 CenturyLink, Inc.

FDEP, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS

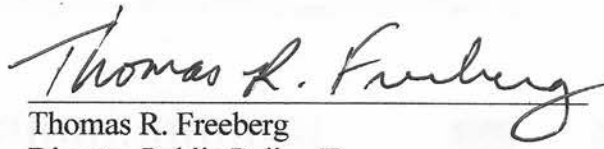
Winning bidder Rural Digital Opportunity Fund (RDOF) information: RDOF Source: <https://auctiondata.fcc.gov/public/projects/auction904>. Portions of the map data are ©2006-2020 TomTom and portions of the map data are ©2020 Lumen.

Exhibit B

List of CB where CTL, Inc. was assigned RDOF auction support and requires ETC status -FL				
1	120990083011072			
2	120990083011117			
3	120990083011118			
4	120990083011122			
5	120990083011126			
6	120990083011129			
7	120990083011130			
8	120990083011131			
9	120990083011132			
10	120990083011189			
11	120990083011190			
12	120990083011244			
13	120990083011260			
14	120990083011276			
15	120990083011409			
16	120990083011412			
	<b>Total = 16</b>			

**VERIFICATION**

I, Thomas R. Freeberg, state that I am a Director Public Policy II at CenturyLink Communications, LLC; that the foregoing "Application of CenturyLink Communications, LLC for Designation as an Eligible Telecommunications Carrier" was prepared under my direction and supervision; and that the statements in the foregoing document are true and correct to the best of my knowledge, information, and belief.



Thomas R. Freeberg  
Director Public Policy II  
CenturyLink Communications, LLC

Date: 2/26/2021